

So Ordered.

Dated: April 15th, 2022



Whitman L. Holt
Bankruptcy Judge

A handwritten signature in black ink, appearing to read "J. Holt".

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON

In Re:

EASTERDAY RANCHES, INC.
et. al.,

Debtors.¹

Chapter 11

Lead Case No. 21-00141-WLH11
Jointly Administered

**ORDER GRANTING MOTION
FOR PAYMENT OF ADEQUATE
PROTECTION AND, IN THE
ALTERNATIVE, RELIEF FROM
STAY**

THIS MATTER came before the court upon the motion ("Motion") of Bank of the West, ("BOTW") for an order granting adequate protection pursuant to 11 U.S.C. §§ 361 and 363 in the form of an immediate payment to BOTW for all sums due and owing from Easterday Farms, a Washington general partnership ("Easterday Farms") to BOTW arising from the bankruptcy sale of a 2015 Mack

¹ The Debtors along with their case numbers are as follows: Easterday Ranches, Inc., (21-00141-WLH11) and Easterday Farms, a Washington general partnership (21-00176-WLH11).

ORDER - 1

FOSTER GARVEY P.C.
1111 THIRD AVENUE, SUITE 3000
SEATTLE, WASHINGTON 98101-3292
PHONE (206) 447-4400 FAX (206) 447-9700

1 CHU613, VIN # 1M1AX07YXFM025968 (the “Truck”), and in the alternative, for
2 an order for relief from stay pursuant to 11 U.S.C. § 362(d)(1), Local Rule 4001
3 and Fed. R. Bankr. P. 4001, 9013, and 9014, to take collection action against
4 Easterday Farms for all sums due and owing from Easterday Farms to BOTW
5 under the terms of the loan and security documents for the Truck (“Loan
6 Documents”).

7
8 The court having considered the Motion, the Declaration of Tyrone Tye
9 and exhibits thereto in support, the Declaration of Deborah A. Crabbe and exhibits
10 thereto in support, the agreement between BOTW and Easterday Farms evidence
11 by the signatures of below, and no objections to the Motion having been filed,
12 NOW, THEREFORE, IT IS HEREBY

13
14 ORDERED that the Motion [ECF No. 1504] is granted; it is further

15
16 ORDERED that Easterday Farms shall pay to BOTW all sums due and
17 owing to BOTW under the terms of the Loan Documents of \$62,351.52 (the
18 “Adequate Protection Amount”) by no later than seven days from the date of this
19 Order; it is further

20
21 ORDERED that, upon payment to BOTW of the Adequate Protection
22 Amount, BOTW shall be entitled to no further claims against Easterday Farms or
23 its bankruptcy estate in connection with the Truck or the Loan Documents; it is
24 further

25
26 ORDERED that if payment of the Adequate Protection Amount is not made
to BOTW within seven days of the date of this Order, BOTW shall be granted

ORDER - 2

FOSTER GARVEY P.C.
1111 THIRD AVENUE, SUITE 3000
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1 relief from stay effective on eighth day from the date of this Order to commence
2 collection action against Easterday Farms for all sums due and owing to BOTW
3 under the terms of the Loan Documents; and it is further

4 ORDERED that this order shall be effective immediately notwithstanding
5 the provisions of F.R.B.P. 4001(a)(3) and that this order shall be effective as to any
6 chapter under which the present case may be converted absent further order of this
7 court.

8
9
10 //End of Order//
11

12 Presented by:

13 **FOSTER GARVEY PC**
14

15 /s/ Deborah A. Crabbe
16 Deborah A. Crabbe, WSBA No. 22263
Attorneys for Bank of the West
17

18 Agreed as to form and entry

19 **BUSH KORNFELD LLP**
20

21 /s/ Thomas A. Buford, III
22 THOMAS A. BUFORD, III (WSBA 52969)
BUSH KORNFELD LLP
23

24 RICHARD M. PACHULSKI (Admitted Pro Hac Vice)
JEFFREY W. DULBERG (Admitted Pro Hac Vice)
JASON H. ROSELL (Admitted Pro Hac Vice)
PACHULSKI STANG ZIEHL & JONES LLP
Attorneys for Debtors and Debtors in Possession
25
26

* Change made by court

ORDER - 3

FOSTER GARVEY P.C.
1111 THIRD AVENUE, SUITE 3000
SEATTLE, WASHINGTON 98101-3292
PHONE (206) 447-4400 FAX (206) 447-9700